

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BRENDA COMEAU and KENDRA LARKIN  
Plaintiffs

V.

O'CHARLEY'S, INC. and 99 RESTAURANT LLC  
Defendants

CIVIL ACTION

NO. 05-11088-JLT

**REPORT RE: REFERENCE FOR  
ALTERNATIVE DISPUTE RESOLUTION**

TO JUDGE Tauro

[ ] The above entitled case was reported settled after referral to the ADR Program, but prior to ADR.

[X] On January 29, 2007, I held the following ADR proceeding:

    SCREENING CONFERENCE

    EARLY NEUTRAL EVALUATION

  X   MEDIATION

    SUMMARY BENCH / JURY TRIAL

    MINI-TRIAL

    SETTLEMENT CONFERENCE

[X] All parties were represented by counsel

[X] The parties were present in person, by telephone or by authorized corporate officer or representative

The case was:

[ ] Settled. A     day order of dismissal has been entered.

[ ] There was progress.

[X] Further efforts to settle this case at this time are, in my judgment, unlikely to be productive. This case should be restored to your trial list.

[ ] Suggested strategy to facilitate settlement:

[ ] Other: \_\_\_\_\_  
\_\_\_\_\_

January 30, 2007  
DATE

/s/ Kenneth P. Neiman  
ADR Provider

KENNETH P. NEIMAN, Chief Magistrate Judge